

Message Text

UNCLASSIFIED

PAGE 01 STATE 205551

45

ORIGIN OPIC-12

INFO OCT-01 ARA-10 ISO-00 EB-05 L-03 /031 R

66632

DRAFTED BY: OPIC/JOHN. GURR

APPROVED BY: EB/IFD/OIA:MKENNEDY

EB/IFD/OIA:WCOURTNEY; OPIC/ID/DVP:EWRIGHT; OPIC/GC:JOFFUTT;

OPIC/D:RPOATS (DRAFT); OPIC:D:EABURTON (DRAFT)

ARA/BC: JBINNS; L/EB: DMUIR

----- 007025

R 171357Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ

UNCLAS STATE 205551

E.O. 11652: N/A

TAGS: E/FIN

SUBJECT: OPIC PROGRAMS IN BOLIVIA

1. OPIC HAS DECIDED NOT REPEAT NOT TO PROCEED WITH
DIPLOMATIC NOTE AS DISCUSSED DURING RECENT GURR TDY
AND INSTEAD PREFERS TO RELY ON FOREIGN GOVERNMENT APPROVAL
(FGA) FORMAT LEFT WITH EMBASSY. SPECIAL LANGUAGE OF FGA
WILL PROVIDE SATISFACTORY RECOGNITION OF USG SUBROGATION
AND ARBITRATION RIGHTS STEMMING FROM EXISTING BILATERAL
AGREEMENT. PROPOSED LANGUAGE READS:

"MR. AMBASSADOR:

I HAVE THE HONOR OF ADDRESSING YOUR EXCELLENCY TO INFORM
YOU THAT THE (NAME OF THE INVESTOR), HAS ADDRESSED A NOTE
TO THIS MINISTRY ADVISING THAT IT WISHES TO INVEST IN
BOLIVIA THE AMOUNT OF (\$) TO (DESCRIPTION OF PROJECT).
(NAME OF INVESTOR) HAS REQUESTED THAT MY GOVERNMENT
APPROVE SUCH INVESTMENT UNDER THE TERMS OF THE EXCHANGE OF
NOTES SIGNED BETWEEN MY GOVERNMENT AND THAT OF YOUR EX-
CELLENCY ON SEPTEMBER 23, 1955, AS AMENDED ON MARCH 4,
1964. I AM PLEASED TO EXPRESS TO YOUR EXCELLENCY
THAT THE INVESTMENT BY ----- HAS BEEN APPROVED
AND, PURSUANT TO ARTICLE 41 OF DECREE LAW NO. 10045 ON
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 205551

INVESTMENTS DATED DECEMBER 10, 1971, THE EXISTING

PROVISIONS OF THE REFERENCED EXCHANGE OF NOTES SHALL BE APPLICABLE TO SUCH INVESTMENT."

2. EMBASSY IS REQUESTED TO PRESENT THIS SPECIAL FGA FORMAT TO MINISTRY OF FOREIGN RELATIONS (AS APPROPRIATE GOB AGENCY CHARGED WITH ULTIMATE ISSUE OF SUCH APPROVALS) AS AND WHEN INVESTORS REQUEST GOB FGAS ON PENDING DRESSER, STOKES, LESSOR, AND CONCEPCION MINING PROJECTS. OPIC WILL ADVISE INVESTORS TO COORDINATE WITH EMBASSY ON MAKING FGA REQUESTS.

3. FYI: OPIC VIEW IS THAT EXISTING 1955 AND 1964 NOTE EXCHANGES, COMBINED WITH ARTICLE 41 OF 1971 BOLIVIAN INVESTMENT LAW, WILL PROVIDE ADEQUATE BASIS FOR ASSERTION OF USG RIGHTS IF QUESTION SHOULD ARISE IN LATER CLAIMS SITUATIONS. KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, FOREIGN INVESTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 17 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE205551
Document Source: CORE
Document Unique ID: 00
Drafter: OPIC/JOHN. GURR
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731026/aaaaatfx.tel
Line Count: 77
Locator: TEXT ON-LINE
Office: ORIGIN OPIC
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 31 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31-Dec-2001 by bryansd0>; APPROVED <20 FEB 2002 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: OPIC PROGRAMS IN BOLIVIA
TAGS: EFIN, BL, US
To: LA PAZ
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005